

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

CASE NO: 7:22-CR-60 (WLS)

BERTHA THERESA SANTIAGO-MARRERO
and
JADIEL JOEL CARTAGENA-SOTO ,

Defendants.

ORDER

Previously, the Court provided the Parties with notice that this case was scheduled for pretrial conference on Tuesday, March 7, 2023, at 3:00 p.m. and for trial on Monday, March 27, 2023 (Doc. 38). In the event the case is not ready for trial, the Parties were ordered to file a motion to continue at least two business days prior to the date of the noticed pretrial conference. (*Id.*) The Parties filed a timely Joint Motion for Continue (Doc. 40) (“Motion”) stating that the Defendants’ first appearance occurred on January 24, 2023. Discovery has recently been provided to Defense Counsel, but they will need time to review the discovery and consider the potential need for motions or the need to request additional information. Further, at this early stage, the parties have not been able to engage in any meaningful effort to resolve the matter without the need for trial.

The Parties advised the Court that a continuance in the matter is needed to permit the parties to complete discovery; to assess the need for any additional discovery; to file any motions deemed appropriate; and to complete any plea negotiations aimed at possible resolution of the matter. The parties further stated that failure to grant a continuance would deny counsel for the Government and Defendants the reasonable time necessary for effective preparation and resolution of legal issues, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

Based on the Parties' stated reasons, the Court finds that a continuance is required for Defendants' counsel to effectively prepare for trial. The Court further finds the ends of justice served by granting such a continuance outweigh the best interests of the public and the Defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, the Motion (Doc. 40) is **GRANTED**. The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division May 2023 term and its conclusion, or as may otherwise be ordered by the Court.

Furthermore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, be **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(7) because the Court has continued the trial in this case and finds that the failure to grant a continuance would likely result in a miscarriage of justice and/or would deny counsel for the Government and Defendants the reasonable time necessary for effective preparation and resolution of legal issues, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

The March 7, 2023 pretrial conference is **CANCELLED**.

SO ORDERED, this 14th day of February 2023.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT